

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

FARAH AWAD, ATA BOULES, NAGY)	
EILIA, and GAWHARA EILIA, on Behalf)	
of THEMSELVES and All Others)	COLLECTIVE ACTION
Similarly Situated,)	
)	CIVIL ACTION
<i>Plaintiffs,</i>)	
)	CASE NO. 3:15-cv-00130
v.)	
)	JUDGE SHARP
TYSON FOODS, INC. and TYSON)	MAGISTRATE JUDGE NEWBERN
FRESH MEATS, INC.,)	
)	
<i>Defendants.</i>)	

**ORDER APPROVING SETTLEMENT AGREEMENT AND
DISMISSING CASE WITH PREJUDICE**

Before the Court is the parties' Joint Motion for Approval of Settlement Agreement and to Dismiss Case with Prejudice ("Joint Motion"). For good cause shown, the parties' motion is **GRANTED**. Specifically, the Court **ORDERS** as follows:

1. The Court hereby **APPROVES** the proposed settlement as set forth in the Settlement Agreement (the "Agreement") (attached to the parties' Joint Motion as Attachment 1), subject to the conditions stated in this Order.

2. The Court finds that the proposed settlement represents a fair and reasonable compromise of contested litigation involving *bona fide* disputes between the parties.

3. The Court orders that post-settlement notice shall be sent in accordance with the terms of the parties' Agreement.

4. Plaintiffs' counsel shall notify the Court of the date on which the post-settlement notice is mailed and file all consent forms received pursuant to the post-settlement notice procedure with the Court in accordance with the terms of the Agreement.

5. The Court finds fair and reasonable the agreed upon payment of \$310,000 in fees and expenses for the work performed and expenses incurred in litigating this action to date. Additionally, the Court finds the additional fees and expenses to be awarded for exceeding certain participation levels in the post-settlement notice under paragraph 6.2 of the Agreement fair and reasonable in light of the work and expenses likely to be associated with the post-settlement notice process.

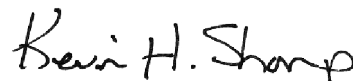
6. The Court finds reasonable and approves the service payments of \$10,000.00 to each of the Named Plaintiffs for a total of \$40,000.00. These service payments shall be paid in accordance with the terms of the parties' Agreement.

7. Without affecting the finality of this Order and Final Judgment in any way, the Court retains continuing jurisdiction over this Action for the purpose of enforcing the Settlement.

8. This case is hereby **DISMISSED WITH PREJUDICE**, but shall remain open to permit the filings contemplated by this Order and the parties' Agreement. At the close of the post-settlement notice period the parties shall advise the Court that the notice period has ended and request that this case be permanently closed.

It is so **ORDERED**.

ENTERED this 21st day of October 2016.



CHIEF JUDGE KEVIN H. SHARP
United States District Court

SUBMITTED FOR ENTRY:

/s/ David W. Garrison

JERRY E. MARTIN (No. 20193)
DAVID W. GARRISON (No. 24968)
SCOTT P. TIFT (No. 27592)
SETH M. HYATT (No. 31171)
JOSHUA A. FRANK (No. 33294)
BARRETT JOHNSTON MARTIN &
GARRISON, LLC
Bank of America Plaza
414 Union Street, Suite 900
Nashville, TN 37219
Telephone: (615) 244-2202
Facsimile: (615) 252-3798
jmartin@barrettjohnston.com
dgarrison@barrettjohnston.com
stift@barrettjohnston.com
shyatt@barrettjohnston.com
jfrank@barrettjohnston.com

CHARLES P. YEZBAK, III
YEZBAK LAW OFFICES
2002 Richard Jones Road
Suite B-200
Nashville, TN 37215
Telephone: 615-250-2000
Facsimile: 615-250-2020
yezbak@yezbaklaw.com

Attorneys for Plaintiffs

/s/ Michael J. Mueller (by DWG with permission)

MICHAEL J. MUELLER
EVANGELINE C. PASCHAL
HUNTON & WILLIAMS
2200 Pennsylvania Avenue, N.W.
Washington, D.C. 20037
Telephone: (202) 419-2116
Facsimile: (202) 778-7433
mmueller@hunton.com
epaschal@hunton.com

KENNETH WEBER
BAKER, DONELSON, BEARMAN, CALDWELL &
BERKOWITZ, P.C.
Baker Donelson Center
211 Commerce Street, Suite 800
Nashville, TN 37201
Telephone: (615) 726-5600
Facsimile: (615) 726-0464
kweber@bakerdonelson.com

Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing [*Proposed*] *Order Approving Settlement Agreement and Dismissing Case with Prejudice* has been served on the following via the Court's CM/ECF system:

Michael J. Mueller
Evangeline C. Paschal
HUNTON & WILLIAMS LLP
2200 Pennsylvania Avenue, N.W.
Washington, DC 20037
epaschal@hunton.com
mmueller@hunton.com

Kenneth Weber
BAKER, DONELSON, BEARMAN, CALDWELL & BERKOWITZ, P.C.
Baker Donelson Center
211 Commerce Street, Suite 800
Nashville, TN 37201
kweber@bakerdonelson.com

Attorneys for Defendants

on this 13th day of October, 2016.

/s/ David W. Garrison
DAVID W. GARRISON
BARRETT JOHNSTON
MARTIN & GARRISON, LLC